

Serial No. 10/783,401

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**AUG 27 2007**

**REMARKS**

In the Office Action of dated 19th June 2007 claims 11 to 14 are pending of which claims 11 to 14 were rejected.

In particular;

- Claims 11 to 13 are rejected under 35 USC 102(e) as being anticipated by Lee et al (US Patent 6,183,481)
- Claim 14 is rejected under 35 USC 103(a) as being unpatentable over Lee et al (US Patent 6,183,481) in view of Marcade (US Patent 5,676,696).

**Claim Amendments**

Claim 11 is amended to specifically define that the first expandable device and the second expandable device are separate components which are separately deliverable from the delivery system. Support for this amendment can be found throughout the specification, for instance on pages 3 and 4. We submit that in making this amendment no new subject matter has been added.

**Discussion**

Claim 11 defines a delivery system for endovascular devices. The claim particularly defines a first expandable device contained within a first sheath and a second expandable device retained within a second sheath. The two expandable devices are separate components. As can be seen in Figure 13 of the present application the first expandable device is the attachment tube (14) and the second expandable device is the contra-lateral leg (16). The first sheath is the outer sheath (124) and the second sheath is the inner sheath (174). There are two separate components, first expandable device and the second expandable device which are separately delivered one after the other.

In the arrangement depicted in Lee et al (US Patent 6,183,481) as can for instance be seen in Figure 10 in the delivery device and in Figure 17 as

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delivered there is only a single expandable device which has a main body and two legs permanently joined to the main body. There is only one expandable device.

The specification describes at column 8 lines 55 to 64

"a bifurcated stent graft 800 suitably comprises a main body 802, a first (ipsilateral) leg 804 and second (contralateral) leg 806, each including an interior passageway, 808, 810, and 812, respectively. Interior passageways 810 and 812 of the first and second legs 804 and 806 communicate with the interior passageway 808 of main body 802. A separate releasable sheath is provided for each portion of prosthesis 800 to maintain that portion of the prosthesis in a radially compressed state, e.g., a first sheath 814 is analogous to sheath 110, which is disposed about (e.g., surrounds) main body 802, a second sheath 816 surrounds leg 804, and a third sheath 818 surrounds leg 806."

The Lee et al specification describes a bifurcated stent graft which is only one expandable device.

For there is no teaching or suggestion that the arrangement disclosed in Lee et al could be used to deploy two separate expandable devices

Consequently we submit that claim 11 is not anticipated by Lee et al (US Patent 6,183,481).

Claims 12 and 13 are rejected as being anticipated by Lee et al (US Patent 6,183,481) under 35 USC 102(e) but we submit that this objection is rendered moot because Claims 12 and 13 depend from a patentable claim 11 as we have submitted above.

The objection of patentability to claim 14 as being unpatentable over Lee et al (US Patent 6,183,481) in view of Marcade (US Patent 5,676,696) is, we

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submit, rendered moot because it depends from a patentable claim (claim 11) as we have submitted above.

The reexamination and reconsideration of this application is respectfully requested and it is further requested that this application be passed to issue.

Although the foregoing discussion is believed to be dispositive of the issues in this case, applicants' attorney requests a telephone interview with the Examiner to further discuss any unresolved issues remaining after the Examiner's consideration of this amendment.

Respectfully submitted,

Wolf Stelter  
Michael Lawrence-Brown  
David Ernest Hartley

Date: Aug. 27, 2007

By Richard J. Godlewski  
Richard J. Godlewski  
Reg. No. 30,056  
(812) 330-1824

Customer Number  
9896  
(812) 330-1824 (phone)  
(812) 330-9049 (fax)